IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 18415 of 2003

Between:

1 S.Sandya s/o Ramulu
R/o Javahar Road, Nizamabad .
2 G.Saritha d/o G.Babu
R/o Javahar Road, Nizamabad .
3 R.Sujatha w/o R.Sudhakar
Nizamabad.
4 M.Laxmi d/oo M.LAxman
Nizamabad.
5 G.Narmada w/o Ashok
r/o H.No.1-1-616, Nizamabad.

..... PETITIONER(S)

AND

1 Northern Power Distribution Companyof A.P.Ltd. rep by Chief General Manager,Warangal.
2 Supdt., Engineer, Operation Circle. A.P.TRACO,
Nizamabad.
3 Divisional Engineer, Electrical Operation NPDC, A.P Ltd.
Nizamabad District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to declare the action of the respondents in not sending the call letters to the petitioners is illegalll, arbitrary , improper, unconstitutional and conduct the interviews of the petitioners along with other applicants without discrimination , male or female for the post of junior lineman by giving preferance equally to the other male applicants without disqualifying the petitioners on the ground of females that they are unfit to do the job.

Counsel for the Petitioner:MR.BOOMAGANGADHAR

Counsel for the Respondents: MR S.RAVINDRANATH

The Court made the following:

-

ORDER:

All the petitioners are women unemployed candidates having ITI qualifications with electrical trade and also they have successfully completed the apprenticeship of one year training. It is stated that they are fully entitled to hold the post of Junior Lineman in the respondents corporation. While so, the Chief General Manager,(HRD) Northern Power Distribution Company , issued a notification dated 25-6-2003 calling applications for 250 posts of the Contract Junior Lineman in five operation circles i.e. 25 posts in Warangal , 08 posts in Khammam, 75 posts in Karimnagar, 115 posts in Nizamabad and 27 posts in Adilabad. The applications were called for the post of Junior Lineman electrical to work on contract basis for one year on yearly contract basis. I

It is stated that the petitioners have applied pursuant to the said notification but they were not called for interview. Questioning the said action of the respondents, this writ petition is filed.

The learned counsel appearing for the respondents submits that in view of the nature of the job description that the junior linemen have to climb the poles and also they should know the cycling, apart from that, the other requirements i.e. possessing ITI trade, passing of test and personal interview etc., the petitioners being female candidates thinking that they may not be able to climb the poles, the call letters were not sent to them.

I am of the view that in fact, a notification itself prescribes whether the candidate is a male or female, married or unmarried.

A perusal of the said notification, it does not discriminate the persons on the ground of sex whether they are male or female. Therefore, they should have sent Interview call letters to the petitioners and even otherwise, the respondents cannot discriminate the female candidates based on the sex, merely because they are female. If they are able to climb poles and do cycling, they are also equally entitled

on par with the male candidates.

Therefore, I am of the opinion that the action of the respondents is illegal and voilative of Article 14 of the Constitution of India.

As notification itself shows to work as Junior Lineman on yearly contract basis and a year has already been over, I am of the opinion that the question of setting aside the selection already made does not arise at this juncture.

The W.P. is accordingly disposed of with a direction to the respondents not to discriminate the petitioners on the ground that they are female candidates and also consider the cases against the future notification on par with the male candidates hereafter. No order as to costs.

V.ESWARAIAH,J

27th August,2004.

Stp/lsn

Sd/-

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Chief General Manager, Northern Power Distribution Company of A.P.Ltd.Warangal..
2 Supdt., Engineer, Operation Circle. A.P.TRACO,
Nizamabad.
3 Divisional Engineer, Electrical Operation NPDC, A.P Ltd.
Nizamabad District.

4..2CD copies

Form-NIC-OGS/WP{ }

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 18415 of 2003

27th August,2004.

-